IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5488 OF 2005
IN
CRIMINAL APPEAL NO. 788 OF 2005

Nandlal Punamchand Chandak ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. S.P. Kadam, Advocate for Applicant

Mr. R.S. Khadapkar, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 25TH AUGUST, 2005

P. C.:-

1. Heard both sides.

2. The applicant is seeking bail. The applicant has been convicted under Section 7 read with Section 12 of Prevention of Corruption Act and sentenced to R.I. for six months.

3. It is stated by the learned advocate for the applicant that the applicant was on bail pending the trial and this liberty has not been misused by him. This statement has not been controverted by the prosecution. It is further submitted by the learned advocate for the applicant that the maximum sentence

imposed on the applicant is six months and this appeal is not likely to be heard within the said time.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat reported in (1999) 4 SCC 421,** has observed that if the sentence if of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of all the facts and circumstances, I am inclined to grant bail.

5. The applicant to be released on bail in the sum of Rs.25,000/- with one or two sureties to make the said amount. The applicant is granted three weeks' time to furnish the sureties.

5. Application is disposed of.

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